

SUMTER COUNTY ORDINANCE 200\_6-004

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING THE SUMTER COUNTY FIRE RESCUE IMPACT FEE ORDINANCE TO AMEND THE DEFINITIONS AND PROVISIONS OF SAID ORDINANCE TO PROVIDE THAT MOBILE HOMES INSTALLED ON A PARCEL ON WHICH THERE IS A DWELLING UNIT PURSUANT TO THE HARDSHIP VARIANCE PROVISIONS OF THE SUMTER COUNTY CODE ARE NOT SUBJECT TO THE FIRE IMPACT FEE, PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, Sumter County adopted a Fire Rescue Impact Fee Ordinance in an effort to ensure that growth paid its fair share of the cost of providing fire protection infrastructure, and

WHEREAS, it has come to the attention of the Board that there are situations where families have applied for hardship variances to care for elderly family members where a temporary variance is applied for and approved allowing a mobile home to be installed as an additional residential Dwelling Unit on family property in which the elderly or disabled family member resides, and

WHEREAS, these are permitted on a 3 year renewable basis but are never approved on a permanent basis and therefore have little or no impact on the county fire rescue system,

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, as follows:

1. The definition of "Building" as found in Section 1.02 of the Sumter County Fire Rescue Impact Fee Ordinance is amended to read as follows:

"Building" shall mean any structure, either temporary or permanent, designed or build for the support, enclosure, shelter or protection of persons, chattels or property of any kind. This term shall include trailers, mobile homes or any other vehicles serving in any way the function of a Building. The term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term Of a construction and shall not apply to a mobile home installed on a parcel of land on which there currently is located a Dwelling Unit if said mobile home is placed there pursuant to a temporary hardship variance approved by the Sumter County Zoning and Adjustment Board.

2 The definition of "Dwelling Unit" as found in Section 1.02 of the Sumter County Fire Rescue Impact Fee Ordinance is amended to read as follows:

"Dwelling Unit" shall mean a Building, or a portion thereof, which is designed for residential occupancy, consisting of one or more rooms which are arranged, designed or used as living quarters

for one family only. The term shall not include a mobile home installed on a parcel of land on which there currently is located a Dwelling Unit if said mobile home is placed there pursuant to a temporary hardship variance approved by the Sumter County Zoning and Adjustment Board.

3. This ordinance shall take effect as provided by law, PROVIDED, HOWEVER, any person who has pulled a building permit and has paid a fire impact fee that would not have been due as a result of the amendments adopted hereby shall have 30 days to apply for a refund.

4. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not effect the validity of the remaining portion.

DONE AND ORDAINED this 31st day of January 2006, at Bushnell, Sumter County, Florida.

ATTEST: GLORIA HAYWARD

Clerk of Circuit Court

BOARD OF COUNTY COMMISSIONERS  
OF SUMTER COUNTY, FLORIDA



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